

Memorandum



Date: August 5, 2009

To: To Service List for Resolution E-4243

From: Public Utilities Commission—San Francisco
Jack Mulligan-

File No:

Subject Notice of public hearing pursuant to General Order 131-D, Section
: XIV. B

Please find enclosed a letter from the California Public Utilities Commission to the County of Ventura and Southern California Edison Company. The letter sets a public hearing date in response to the County's request for a hearing to discuss unresolved differences relating to land use matters associated with the proposed Moorpark-Newberry 66 kV Subtransmission Line facilities. This letter is being provided to you as a courtesy, because your name is on the service list for the appeal of the Executive Director's Resolution finding the proposed facilities to be exempt from the Commission's permitting requirements.

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



August 3, 2009

Steve Benett, Chair
Ventura County Board of Supervisors
Government Center, Hall of Administration
800 South Victoria Avenue
Ventura, CA 93009

Beth Gaylord, Senior Attorney
Southern California Edison Company
2244 Walnut Grove Ave,
Rosemead, CA. 91770

Notice of public hearing pursuant to General Order 131-D, Section XIV. B

On September 18, 2009, the Commission will hold a public hearing at the Ventura County Government Center, Board of Supervisors Hearing Room located at 800 S. Victoria Ave, Ventura, CA. The hearing will begin at 1:30 PM and will conclude the same afternoon.

The purpose of the hearing is to grant Ventura County Board of Supervisors' ("County") request that the Commission hold a hearing regarding the proposed the Moorpark-Newberry 66 kV Subtransmission Line facilities ("Facilities"). As stated in the County's letter dated June 23, 2009, the County and Southern California Edison Company ("SCE") have been unable to "reach agreement on land use and environmental matters." The applicable rule governing the hearing is General Order 131-D, Section XIV. B, which states:

This General Order clarifies that local jurisdictions acting pursuant to local authority are preempted from regulating electric power line projects, distribution lines, substations, or electric facilities constructed by public utilities subject to the Commission's jurisdiction. However, in locating such projects, the public utilities shall consult with local agencies regarding land use matters. In instances where the public utilities and local agencies are unable to resolve their differences, the Commission shall set a hearing date no later than 30 days after the utility or local agency has notified the Commission of the inability to reach agreement on land use matters.

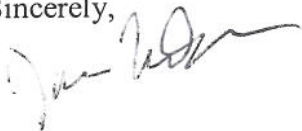
The hearing will be conducted by one of the Commission's Administrative Law Judges ("ALJs"). It will be a public hearing, reported by a court reporter, where the ALJ will hear the views of the County and SCE. This will not be an evidentiary hearing, and no speaker will be subject to cross-examination. We anticipate that all speakers will be able to fully express their views. In the event of a large number of public speakers, the ALJ may limit the time of each speaker so that everyone will be able to participate. Notice of this hearing will appear on the Commission's Daily Calendar. This hearing is also being noticed to the service list for

Resolution E-4243, the appeal of the Executive Director's Resolution that found the Facilities to be exempt from the Commission's permitting requirements. But this hearing is a separate matter from the appeal of the Executive Director's Resolution ("Appeal"). This is an informal process that will not result in a Commission Decision. This hearing is a forum to discuss the differences between the County and SCE on land use matters; it is not the proper venue to debate the Commission's jurisdiction over power lines or the Executive Director's finding that the Facilities are exempt from the Commission's permitting requirements.

Since the purpose of the hearing is to provide a forum for the County and SCE to discuss unresolved differences relating to land use matters, the Commission urges SCE and the County to first attempt to resolve their differences between themselves. The Commission's hope is that the parties will meet and confer in an attempt to resolve their differences directly. If the initial discussions prove fruitful and County and SCE both agree, the Commission would offer the services of an ALJ experienced in the Commission's Alternate Dispute Resolution Program to mediate further discussions. Please contact me if you are both interested in pursuing this option.

The Appeal will be held in abeyance until the hearing is conducted. The Appeal is the proper venue to voice objections to the Commission's application of its rules to the proposed Facilities.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jack Mulligan", with a stylized flourish at the end.

Jack M. Mulligan
Staff Attorney